IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO.926 OF 2006

Arvind Kumar Nanubhai Padia @ Khatri ...Appellant

Vs.

Municipal Corporation of
Greater Mumbai ...Respondent

Shri.A.M.Saraogi for the Appellant
Shri J.J.Xavier for the Respondent.

CORAM: A.S.OKA, J.
DATED: MAY 2,2006.

P.C.:

1. The Affidavit of the Appellant is taken on record and marked 'X' for identification. The Advocate for the Appellant states that the Appellant desires to withdraw the Appeal unconditionally in view of the said Affidavit filed today. He further submits that a reasonable time may be granted to apply for regularization.

2. Hence I pass the following order :

i) Appeal is dismissed as withdrawn with no order as to costs.

ii) If application is made by the Appellant for regularization of the suit premises to the appropriate authority of the Respondent-Corporation within a period of

four weeks from today, such application will be decided by the Respondent-Corporation within eight weeks from the date of receipt of the same and the decision on the said application will be communicated to the Applicant within a period of one week from the date of taking the decision at the address of the Appellant mentioned in the cause title of the Appeal.

iii) If application for regularization of the suit premises is made by the Appellant within a period of four weeks from today, both the parties will maintain status quo as of today for a period of twenty weeks from today.

iv) If application for regularization is not made within stipulated period, the Respondent-Corporation will be free to take action against the Appellant in accordance with law.

Judge.